IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 304 OF 2004

IN

SECOND APPEAL NO. 130 OF 2004

MR.JOSE THOMAS VAZ,LOUTOLIM GOA. ....Applicants

Versus

SMT.JANERINA TEMUDO(EXPIRED) REP.BY L.RS., ...Respondents

Mr. J.E. Coelho Pereira, Senior Advocate with Mr. V. Korgaokar, advocate for the applicant.
Mr.C.A. Coutinho, advocate for respondent nos.1(a),(b),(d),(e),(f),(g),(h) & 2.

Coram:- R. M. LODHA, J.

Date:- 18th August, 2005

P.C.

Heard. The learned Senior Counsel for the applicant/appellant made a statement that the applicant/appellant is not in possession of the suit property. In this view of the matter the applicant/apellant cannot have any objection regarding the eviction decree passed by the Appeal Court. As regards the decree passed against the present applicant/appellant for paying to the plaintiffs a sum of Rs.18,000/- with interest at the rate of 8% per annum and further rent of Rs. 6000/- per month from the date of filing of the suit till its realization, the decree being a money decree, I am satisfied that the following order shall meet the ends of justice:-

The applicant/appellant shall deposit in the Registry of this Court the entire decretal amount within one month from today. The amount so deposited shall be invested by the Registrar in Fixed Deposit of a nationalized Bank for a period of two years renewable thereafter for the same period each time, until disposal of the Second Appeal.

Upon compliance, the execution of the decree shall remain stayed.

The Civil Application stands disposed of.

R. M. LODHA, J.